



SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
June 12, 2013

WORK SESSION

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 6:00 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Robyn Folsom, Bill Butterfield, and Krisanna Clark. Councilor Matt Langer was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** Joseph Gall City Manager, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Community Development Director Julia Hajduk, and Administrative Assistant Colleen Resch. City Attorney Pam Beery.
4. **TOPICS DISCUSSED:**

Mayor Middleton addressed the citizens and gave a brief overview and said the Council would listen to everyone and then Council has some things to bring up after they are through listening. He reminded the citizens to make the process productive and informative and said we already know a lot of the feelings, but we want to get examples of what we want to do tonight. He said that it is a difficult process and emotional and everybody who speaks is important. He asked the speakers to make sure the information is fact based and honest and asked that people please don't heckle and don't talk when others are talking. He asked the audience to make this very professional and everyone who signed a request to speak form will speak for 4 minutes and said if you have written materials or information that you want passed on, to give it to staff and they will provide it to the Council. He said after everyone has spoken he will close the public participation portion of the meeting and at that time Council may have questions for the staff and may deliberate the issues presented. He reminded the citizens that the Council can't make any final decisions tonight because it is a work session, but we can give direction to staff for future meetings. He called the first speaker and said they would be called in the order they were received.

A. Walmart Citizen Comments

Brian Wegener, 11675 SW Hazelbrook Road, Tualatin, came forward representing the Tualatin Riverkeepers and said they are concerned any time a large development that has a huge roof and a huge parking lot goes in, about the impacts on our local creeks. He stated that in the Tualatin River basin there are 5,000 acres of parking lots that drain into the nearest creek and they are working hard to minimize that and reduce the storm water runoff as that is the biggest pollution problem for the Tualatin River and its tributary streams. He said the amount of runoff can be reduced by reducing the impervious surfaces and using green infrastructure such as things that take the water and let it soak into the ground or take it up by plants or evaporate into the air. He noted good examples here in the Tualatin basin, such as the Clean Water Services operation center in Beaverton, which has

demonstrated a green roof and several different types of pavement and rain guards that hold the water so it doesn't pollute our creeks. He stated that Walmart has experience with this and said the supercenter in Nashville, North Carolina has 1½ acres of impervious pavement parking lot where the water runs through the pavement and is stored in gravel underneath and it slowly soaks into the ground, and they also have eight bioretention beds and two storm water wetlands at the facility. He said the world's largest monitored ecoroof, or green roof, is over 70,000 square feet and is on the Walmart in Chicago, and said that is almost 1¾ acres of roof planted 4 inches deep with soil that absorbs the water and helps it evaporate into the earth. He stated last summer Walmart broke ground on a new store in Portland and they have 40,600 square feet of ecoroof and that is the largest ecoroof in Oregon. He referred to a picture (see record) that shows the preferred way of dealing with storm water, and said this is Walmart in Hilton Head, South Carolina where it is hard to see the parking lot because it is covered in trees. He encouraged the Council to work with Walmart to stop the pollution and use green infrastructure to save our creeks and protect our Tualatin River and the Tualatin River National Wildlife Refuge.

Michael Hughes, 22617 SW Kathy Street, came forward and said he sent Councilor Langer an email on August 18, 2011, and he read the email and the response he received. He stated he moved to Sherwood because it was a perfect suburb to start a family, but after 1½ years he was ready to leave due to the traffic on Tualatin Sherwood Road and with the continued development it will continue to get worse and he asked Councilor Langer in his email if there were plans to expand the road. He said Councilor Langer responded that he agreed and the primary hurdle is Metro, and Washington County is responsible for the road. He said Mr. Langer stated most folks in Sherwood share your concerns but we are up against Metro and efforts are being made to add lanes. Mr. Hughes said he had a response from Tom Pessemier that addressed some of the same things that were in the report from the transportation impact analysis by Kittleson and Associates. He referred to page 27, on the bottom where it addresses 99W and SW Roy Rogers Road refers to the MSTIP project #10 that proposes expanding from Langer Farms to Borchers Road along with extending Langer Farms Road. He noted the report says this project is not necessary to mitigate the impacts of proposed development but is important for the surrounding transportation system and the inclusion of these improvements, assuming the proposed development traffic, would result in below capacity operation at these intersections. He stated this is ridiculous and the traffic is horrible, and just extending this small portion won't do anything. He referred to the report referencing things that will happen 10 to 30 years from now, assuming there is funding, but said if Metro is in the way now they will be in the way in the future. He stated this is common sense and he hopes this is in the Council's consideration.

Naomi Belov, 22741 SW Lincoln Street, approached the Council and asked if the Councilors had read the petition letters. The Council responded as follows: Councilor Butterfield responded yes, Council President Henderson responded yes, Mayor Middleton responded 30%, Councilor Clark responded yes and Councilor Grant responded no. She stated the importance for them to know how the public feels about Walmart. She provided a timeline of events and said it is a working draft of a chronology process (see record) and read the following: *In 1995 The Langer PUD was initiated. The definition of the PUD is the population growth led to increased commercial development in the Town Center area, which was centered around the intersection of T-S Road and Pacific Highway. To facilitate commercial development, the City of Sherwood created a "master plan" for development, which included a comprehensive development plan, zoning districts, and a zoning map. Individual land owners could apply for planned unit developments, or PUDs, which overlaid the master plan. The PUDs included "categories of use", or phases, that fit within the general goals and requirements of the comprehensive plan. The PUDs were intended to be flexible, offering relief from strict*

adherence to the zoning map. The phases within each PUD could be altered without going through a comprehensive plan amendment or zoning change. The PUD phases were not separate legal parcels, so when you hear the word phase it is pieces of land, and any development, reconfiguration, or partitioning of the phases required the city's approval. So in 1995 the Langer PUD was initiated, hence the quote in 2013, "Matt Langer, a spokesman for the Langer family, said he's pleased that Walmart will anchor the shopping complex." This is a project we've been working on for almost 15 years," said Langer, who is also a member of the Sherwood City Council. "So we're pretty excited to bring this project to town." Ray Pitz, the Sherwood Gazette (May 6, 2013). 1995 May 31, 2005 Clarence & Pam Langer buy 10,000+ acre ranch in Mitchell, Oregon, with the proceeds from Sherwood Village residential subdivision transactions. 1995 Langer Development agreement has 8 phases. Included in the PUD was the 55-acre vacant parcel, (which is the proposed Walmart site), which was zoned light industrial, but in farm deferral. 1995 "Condition Number 8 at each phase of development and with each site plan submitted to the city the applicant shall provide a traffic impact analysis for city, county, and ODOT approval. Recommended traffic safety and road improvements shall be considered by the city and may be required by each phase." She said she has the footnotes to each of quotations and in summary of that particular piece this is our tax money paying for the road improvement.

Jim Claus, 22211 SW Pacific Hwy, approached the Council and presented documents (see record). He summarized what happened with the Home Depot, referring to light industrial zoning and being declared a lumber yard. He said that City Council refused to believe it and by the time they found out it had been done, permits had been granted and construction started. The Council couldn't stop it, so took care of that by cleaning out the staff. He said Council should look at the timeline and said you have a problem and the only difference is who is involved. He stated this has tainted everyone, attorneys, staff, Council and the City Manager. He said the stakeholders, because of the way the PUD is set up, are spread throughout the town. He commented on the apartments and said the contract was signed 2½ years before the public hearing, which was a sham public hearing. He said that property was sold for less in order for staff to pick up \$3 million in fees and stole another \$2 million and stated that is what happened with the URA money. He asked what the City pays for attorneys. He said you have been spreading this money around and have become tainted by it. He referred to the information he provided about Barry Cain and Gramor and said Mr. Langer is in partnership with them, and named Matt Grady and said he is a representative of the Langer's and has come up here as an advisor. He referred to giving away zoning and ODOT making up for it then Council got involved by letting the ordinance get changed. He said Mr. Langer sat in Urban Renewal when the ordinance got changed. He commented about a \$500,000 gift back in capital refunds that Mr. Langer also voted on. He said Councilor Clark and Mayor Middleton are the only ones that don't know what is going on and said the rest of Council does. He referred to Council doing this under the auspicious that it was going to build an art center, but it was just a honey bucket that everyone dipped into until it was virtually gone. He commented on recreating the PUD and said that is not a coincidence. He referred to lawyers insulting citizens that predicted this would happen. He said this has to spin out to other committees; otherwise they will be investigating themselves for waste, fraud and abuse of public money. He commented on paying \$10 million for this then turning around and giving away a piece of land, he referred to building this and that until more Urban Renewal is needed, and said this is just a form of legal stealing.

Dave Troyer, 20668 SW Lavender Avenue, came forward and said a few years back, before Taco Bell came in, Wendys wanted to go in there but wasn't allowed to because it would cause too much traffic. He said he is concerned about Walmart because he said he drives Tualatin Sherwood Road

multiple times a day for work and said he wants to save money as much as anyone but at what cost. He asked why, what was important back then for traffic feasibility doesn't matter now and he referred to traffic on Roy Rogers Road and asked why make matters worse. He said let's get the roads to accommodate the traffic before bringing in other businesses. He stated he doesn't believe the process was upfront with the way it was presented and any time a major tenant isn't revealed until everything is signed is a little under handed and not being honest with the citizens.

Nancy Taylor, 17036 SW Lynnly Way, came forward and provided QuickFacts from the census (see record). She asked what the population of Sherwood is. Council President Henderson said 18,205 as of the last Portland State University census study in 2010. She provided statistics about Sherwood, such as the percentage of women is 51.1%, the percentage of travel time to work is 25.2 minutes, the percentage for living in the same house for 1 year is over 87.8%, the percentage for Bachelor's degree or higher is 41.7%, and the percentage of high school graduates is 94.0%. She said Sherwood is a great community and then referred to the Walmart flyer she received in the mail and said she doesn't see this community supporting Walmart. She referred to the size of the supercenter and said it is huge. She tried to conceive how big this will be and if it ever goes out of business she provided a list of alternate businesses that could go in there and said it has been predicted that Walmart will go in 5 years because Amazon.com will knock them out. She looked at light industrial use and gave more suggestions such as, tools, call centers, sports training, CIA, NSA, FBI and charities.

Karin Calde, 18245 SW Orchard Hill Lane, approached the Council and said there are many reasons she doesn't want Walmart in Sherwood but due to time she will focus on the financial side. She referred to the City website and looked at the values of the City Council and the second value is fiscal responsibility. She said she has searched for information that Walmart could bring in money for the city or the benefits, but found the opposite and submitted articles (see record). She referred to an article in the New York Times that said Walmart fights local taxes and a study in 2007 found that of the stores that opened in 2005 the company challenged property taxes in 35% of the stores. She said the report stated that in Texas, Walmart challenged assessments at 83% of 400 stores. She stated in terms of the retail stores, Walmart saves an average of \$40,000 a store when it files a challenge and the article suggests that Walmart saves \$3 million annually from challenging property tax bills even though their revenue is \$1 billion dollars a day. She noted one researcher said local officials lack the resources to fight Walmart and give tax relief that is unwarranted and other tax payers have to pick up the difference. She referred to the article from the Huffington Post about how Walmart doesn't pay its fair share of taxes and they look for loopholes where they can. She referred to the article by MSN money that says the low wages costs taxpayers plenty and reported in Wisconsin a single Walmart supercenter store costs taxpayers \$1.7 million per year or \$6,000 per employee for aid because the workers are pushed to accept aid. She said another study estimated a lower cost of \$900,004 per year. She referred to the article in Forbes where California is pushing legislation that would fine stores \$6000 for each employee that ends up on the state's Medicaid program because they are tired of paying for Walmart. She asked how this fits in with the fiscally responsible values. She referred to citizen participation and said they are telling the Council that they don't want Walmart and said Council was elected to represent us and it seems that only 2 have been listening.

Kevin Bates, 16419 SW Wildlife Haven Court, came forward and said he owns Symposium in Sherwood and in Tigard. He stated he has lived in Sherwood for 4 years and he and his wife serve on various committees and groups. He said he has been reluctant to speak because of the amount of

emotionality in the room and the community, but wants to speak reason into what he has heard as unreasonable. He noted that he serves the community as a volunteer and started a business that our community revolves around and is sort of the living room of Sherwood. He said that he and the others that run Symposium have been misrepresented, misquoted, accused of being immoral, yelled out in public, accused of being fools and told he was stupid in public. He said his business has been boycotted and leveraged for personal gain and he thanked Councilors Clark, Langer and Folsom for their apologies. He referred to the personal attacks and stated that whether they are for or against a retailer is none of their business. He said he doesn't want sympathy because business has thrived over the last month, but said he wants the people in the room to stop treating our community the way they have been treating it and asked the Council to advocate a group of people to focus on the real issues and the real dilemmas and draft ordinances that can make a change. He said there are people in both camps for or against Walmart that are reasonable, but the emotionality has created convoluted talk, unreasonable action and a confusing look at what we are dealing with. He stated some people fear that a big box will destroy the community and said he has come to meetings in the past and the room was empty and that is why we are in this situation. He said that we are afraid that a retailer will shut down small business and yet his has been boycotted through an email, we are afraid that a retailer will destroy our kid friendly environment and yet we arm our kids with agendas, we are afraid that a retailer will treat their employees badly and yet we are willing to treat each other badly, we are afraid that a retailer is going to bring a certain class of shopper and yet they are portraying our class all over the news, and we are afraid that a retailer will not care for our community and yet at the last meeting people said they hated our community. He said we need to look forward and promote community, love and togetherness and make a difference and move forward with a positive look for Sherwood.

Anthony Bevel, 17036 SW Lynnly Way, approached the Council and said he doesn't think they are listening to the vast majority of the people who say they don't want a Walmart in Sherwood and said it will change the community feel. He referred to the term acceptable congestion and said that is what we will have once the Walmart gets in, but it is not acceptable and he said if it moves in you need to figure out how to get the traffic flowing in a reasonable way. He asked what Walmart is going to bring to the party, cheaper milk, which if you do smart shopping you can get that price at other places. He stated if you went out and got petitions signed at least 80% of the people would say they don't want a Walmart for selfish reasons to moral reasons to environmental reasons. He commented about his distrust for the people volunteering and said most of the people here distrust what is going on in our small town government. He quoted Tip O'Neill as saying all politics starts at the small town and this politics is kind of stinky. He said shame on him for not volunteering to be a candidate, but maybe he will, but he will have the best interest of Sherwood rather than his own selfish gain.

Sally Robinson, 17879 SW Cereghino Lane, came forward and commented about an email she sent on June 5, 2013, which asked specific questions and is looking forward to the response from the City staff. She referred to the application for the PUD in 1995 and has reservations about not whether Walmart is coming and not whether we are going to look at ordinances, but whether or not the City Council and staff and others might continue to allow the City Engineer to make these decisions regarding significant traffic impacts. She said there are many instances where the City Engineer has the authority to approve conditions and it is confusing and she does not understand all of the references to them and said it is unfortunate that Mr. Langer is not here tonight, he could probably answer the question about the road that has already been built and who paid for that. She referred to the developer agreement which talks about fee in lieu of the construction and she wants to get a handle on what we as taxpayers have paid for that road and said the condition of the approval

originally was that the developer would pay 100% of the cost and it does not appear that was true. She mentioned there is some issue of the credits that were used and she commented to the Council that it is not appropriate that a developer utilize credits for transportation purposes, and by using credits and City resources the taxpayers have to pay for that rather than the developer. She said if you look at the express conditions, the 52 conditions that were expressly approved by the City, in several instances they are allowed to pay a fee in lieu on Tualatin Sherwood Road and she thinks that may have been allowed on the existing road. She said it appears a door has been left opened by a comment she heard from City staff, that in the approval process the developer may be able to negotiate with Washington County that during the construction of the improvements for Hwy. 99 and Tualatin Sherwood Road, they may be able to negotiate a fee in lieu for the traffic signal that is an expressed condition and seems that we are not allowing the developer to comply 100% with one of the conditions and she asked Council and staff to not allow the developer to avoid that cost.

Carl Reynolds, 22438 SW Hall, came forward and stated he has lived here 13 years and Sherwood is his wife's home town and she went to high school here and it was a small community and has gotten bigger fast. He said his complaint against Walmart is that it represents something in our society and culture as being a serious problem which is: bigger is better. He said our country has decided we no longer want to follow tenants of basic capitalism and some businesses are too big to fail and Walmart represents that. He said Walmart is evil and likened it coming to Sherwood to David asking Goliath to move into his village and said the outcome is not positive. He stated that Walmart and the bigness it represents is a form of monopoly and volume purchasing which drives out the smaller businesses because they can buy in greater volume and it is a matter of concentration of wealth and it will corrupt the politics of the community. He said the traffic problems are significant and we shouldn't assume that it will all play out to our benefit. He noted the impact it will have on the environment and said the previous speaker was referring to roof tops that would absorb water and he spoke of a 40,000 square foot roof, but we are talking about 144,000 square foot roof. He noted that is another example of how big is not better, or better for Sherwood.

Kathy Hollamon, 14735 SW Brooke Court, came forward and said she has been a resident for 16 years and said it is important to get involved. She reminded the Council that she went to 100 homes in her neighborhood and discussed Walmart and she wanted to provide some of their feedback in regards to the ordinances. She stated that most do not want a 24 hour store, since there is more crime at night, and suggested ways to make it more business friendly for Shari's and others that are open 24 hours, such as writing it so it exempts establishments that serve food that are less than a certain square footage. She stated that they do not want firearms or ammunition sold across the street from St. Francis School and do not want overnight RV parking out of respect for the neighborhood adjacent to the store. She said "livable wage" is important, but not sure how to write this ordinance, but supporting our families is important and it is important to reduce the burden on the taxpayers in terms of food stamps and health benefits. She said she has done some research and has heard it costs taxpayers somewhere from \$2,000 to \$9,000 per employee and she doesn't think that we should have to support Walmart in that way. She recommended the documentary "High Cost of Low Prices" which shows that a vast number of crimes are committed not just in the store like shoplifting, but the crimes are committed in the parking lots and she listed a few: kidnapping, criminal mischief, robbery, murder, unwanted physical contact, sexual assault, rape, indecent exposition, prostitution, sex crimes against children, shoplifting and identity theft. She noted the concern that passing ordinances would make Sherwood less business friendly, or anti-business, but said that is not true and there are quality businesses that would like to come to Sherwood and reflect the values

of our community and perhaps we can get businesses in our community to help determine what would work and appear to be business friendly in terms of ordinances.

Ruthanne Rusnik, 22214 SW Nottingham Court, approached the Council and said she discovered 6 weeks ago that she lives in a community where the culture of government is one that allows development in such a way that the citizenry is uninformed and referred to hearing about Walmart on the news and said that was disturbing to her. She said she had heard about a 140,000 square foot structure but she didn't know anything about the size of buildings, and said she didn't know how many square feet Target or Home Depot were, so she had no clue that a Walmart was intended there. She echoed the concerns of others about the traffic issues and a Walmart bringing in more traffic from Tigard, Newberg, and Tualatin but she asked why no one has mentioned Wilsonville. She said they will come in from Tonquin Road and pass through her neighborhood and there will be a huge increase in traffic there and she doesn't see that anything is planned to deal with that traffic. She said she doesn't look forward to a Walmart.

Bob Lake, 22915 SW Kathy, deferred his time to Naomi Belov and she continued reading her timeline (see record). She read: *May 9, 1998 The Langer Family LLC formed bringing together the family members' respective farm holdings under a single manager's control. They sold Phase 1 of the Langer PUD: Sunfield Lake Apartments, high density residential zoning. In 2000, February 2, F. Wallace Langer passed away and Clarence D. Langer Jr. (Matt Langer's father) was appointed executor of the estate. On advice of counsel, the estate selected Steven Kam, to prepare the valuation report of the decedent's non-managing, minority interest and a concerted team effort by Kam and the estate's attorney successfully resolved most of the pretrial issues in the estate's favor...the parties also reached stipulations on the values of five of the PUD parcels. The 55 acre light industrial parcel, which includes phases 6, 7, 8 and said again these are just parcels and it was also stipulated as to value and not part of the tax proceedings to settle value. It was not valued at commercial prices because it is still zoned light industrial for those phases. The estate and the tax court disagreed on the commercial value for phase 2 and 5 both phases were zoned retail commercial (RC zoning). Phase 2 includes Avamere (vacant at the time) and a still vacant parcel behind Polar Bear yogurt. Phase 5 is the Target Shopping center. She read see Sherwood Village PUD Final Land Use and Phasing Plan. In August 2000 the Home Depot parcel sold. This lot sale was used as a comparable property sale to arrive at value for phases 2 and 5 of the Langer PUD in the tax court. Home Depot was split zoned 50% light industrial and approximately 50% zoned exclusive farm use. The tax court's reconciliation of the appraisers' two differences for the sale included the following language, "Comparable 2-11 was zoned light industrial instead of retail-commercial. However, given the fact that comparable 2-11 was sold to Home Depot for the construction of a Home Depot store we find that it's zoning did not have a significant impact on the ability to develop the property." So even the tax court recognized that if you can have commercial uses, the property should be valued commercially. The estate argued to the tax court that the Langer Family LLC, "had particular difficulty in getting city approval because of the strained personal relationships between Clarence Langer and members of Sherwood's government. Because we are determining the fair market on a hypothetical sale by a hypothetical seller we do not necessarily take into consideration the personal characteristics of the actual seller. Therefore, we do not factor in any difficulty arising from Clarence Langer's relationship with members of the city government." She said that is a memo from the United States Tax Court. Essentially the Langer estate was asking for a further tax break based on the city punishing certain personalities and the Federal Tax Court said no. The estate's appraiser also made an implicit assumption that people living outside a 1.5 mile radius of the property would not shop there.*

Mayor Middleton said we could no longer have people speaking or passing off scripts and we have to stop the comment period at 8 pm so Council can discuss what they are going to do and reminded the citizens to keep it to 4 minutes.

Kim Urban, 23981 SW Redfern Drive, came forward and said she has been to many of the recent meetings and has listened and researched and feels emotional about the whole thing and it is hard to keep the emotions out of it. She stated she never attended meetings before this whole thing and she said the Council has been staring at an empty room for a long time because people trusted Council and said that is why we have elections and why we elected you. She said she must have been naïve for a long time thinking that she could trust Council to keep something like this from happening to Sherwood. She said her trust has been misplaced and she now needs to take time out of her life and away from her family to come to these things and said a lot of others share the same opinion. She referred to the mission statement and the values on the wall and said she would read them and pause and she wanted people to think if any of this goes along with those values. She read: The City of Sherwood will provide infrastructure to support the highest quality of life for our residents, businesses and visitors in a fiscally responsible manner. She referred to earlier comments about fiscal responsibility and said this does not provide the highest quality of life for our residents and the only business this provides for is Walmart and the existing businesses will no doubt suffer. She said we will have a whole lot more visitors, and not quality visitors that don't invite crime in the community, with something like Walmart. She said this is not just about Walmart, any store of this size would have many of the same similar results. She is not a fan of Walmart, but this is not just about Walmart. She stated our City values state, quality services, citizen participation, community partnerships, fiscal responsibility, community pride, and community livability. She said she doesn't see how approving this whole thing goes in line with any of our values and stated her trust is misplaced.

Michael Buffington, 22511 SW Dewey Drive, approached the Council and referred to City values and said he is trying to avoid making Walmart the enemy, but since people have spoken clearly about the steps that have brought us to this point, he said he will speak about Walmart. He said Walmart claims in the mailer the average wage is \$13.50 an hour, so let us assume that is true, it actually is not and referred to studies, and if it is an average what are they including because the executive pay would throw this off. He said at \$13.50 an hour a full time employee with 35 hours a week would be just \$1000 above poverty level. He stated the Wall Street Journal reported that 75% of Walmart employees are full time and 48% are eligible for health care and if the 48% opted to pay for the health care it would cost more than they make so they have to go on public assistance and he said these are facts from the Labor Center of Berkeley which reports that compared to other retailers Walmart shows that they provide 5% less coverage. He said he has pages of this information and in 2005 a former CEO of Walmart said the public health care paid by taxpayers was a better option than what Walmart provides and they encourage employees to get public assistance. He said he is a taxpayer and asked if he was going to have to pay more taxes to support Walmart. He said people say they like Walmart because it is cheaper but he referred to a study by Bloomberg reporting that you save 46 cents per \$100 at Walmart compared to Target and said it is a myth that you save money. He noted that having a Walmart is going to change things in such drastic ways that he will sell his house the day they break ground after living here 11 years.

Amanda Stanaway, did not come forward.

Katherine Kalpakis, 16380 SW Red Twig Drive, came forward and said she has emailed the Council and said she bought a home in Sherwood in 2011 and is raising 3 small children here and

has not attended meetings but she has voted, does research on the elections and she watches the meetings on TV. She said she has a very reasonable concerns and questions for the Council and the Planning Commission regarding the 24 hour parking. She said she received one response from Mayor Middleton. She stated for 3½ years she worked for the largest homeless shelter in Portland and she did safety planning which is when a client can't come into the program they let them know what is practical for them to do and some of the advice is to go to the airport or find a Walmart parking lot. She said she also worked in Arizona with domestic violence shelters and that was also the advice they gave. She said she is concerned and stated it is easy to remedy the situation by eliminating the 24 hour parking and she has read reports that some of the crimes at Shari's and Wendy's are not significant, but that is not true about Walmart and she has spent a lot of time dealing with transients, heavy crime and public intoxication and she does not want this in her community and recommends they pass an ordinance. She said she does not want to have to pay for that or the burden of enforcing the 24 hour parking on our Police Department and said they should have to pay for it. She referred to an article in January from Pamplin Media that reported about the homelessness in this area and it suggested that people find safe places like Walmart because it is better to be in large groups rather than being on their own. She stated that this is a responsible thing for Council to prevent.

Julie Fairman, 22997 SW Saunders Drive, came forward and read a portion of the Walmart flyer stating Walmart will help our community by improving the quality of life for residents by providing a quick and convenient shopping experience in your neighborhood and access to affordable quality food options. She said she has plenty of options, affordable and otherwise, for her family. Walmart needs to provide quality to our community that is the only way to improve our quality of life. She continued to read the timeline (see record): *The court found, that the appraiser "did not offer a reasonable explanation for why he so limited his analysis. The businesses within the area included a Home Depot, grocery stores, banks, restaurants, a movie theater and an ice skating arena. We find that it is unreasonable that only those people living within 1.5 miles will frequent such businesses."* She said there is a footnote. *On August 29, 2000, "The Sherwood Urban Renewal Plan was adopted and approved by ordinance. The initial URA 'maximum indebtedness', as defined by statute, was \$35,347,600. However, on February 27, 2012, the Sherwood City Council [the Sherwood Urban Renewal Agency coincidentally is the same as the city council] approved a substantial amendment to increase the maximum indebtedness to \$45,133,469."* This is a 20-year plan that since its inception has added an additional year for the agency. *The fund takes all the tax money to do "capital projects" which are supposed to bring in capital through overrides. The question with the Walmart development is: what are the overrides on the project and system development funds and how much of this feeds into the general fund? Is this being used for fixing the budget in times of financial trouble such as we are experiencing now? December 5, 2000, Sherwood passes its own traffic mitigation ordinance called the Capacity Allocation Program (the CAP ordinance). In 2005 the City Charter was changed to Home Rule with the Beery Elsner & Hammond Home Rule charter. This gave the City Manager increased authority versus the City Council. October 30, 2006 T.C. Memo formalized and filed in the United States Tax Court that settled the estate of F. Wallace Langer and required payment of additional estate taxes. March 23, 2007 Clarence Dean Langer, Jr., Pamela A. Langer, Steven D. Langer, Gary W. Langer and Barbara Langer convey their interest to their SIX CORNERS, LLC for the land located at the Sherwood Plaza on Langer Drive. Six Corners, LLC has the same people in the LLC as were listed as property owners on the Bargain and Sale Deed from Washington County Records. The City Council held "Minor Modification" on the 2nd phase of the development agreement. If they had determined that the PUD had Major Modification the Langer PUD and would have had to submit a new application for a new PUD that would not have allowed the same*

grandfathered commercial uses in industrial zoning. After the Minor Modification hearings the Langer family and Gramor Development hired "exclusive leasing agents" as opposed to sales agents, for a 55-acre master development. The estimated completion date was the spring of 2009 per their 'Sherwood Town Center' leasing. This was phases 6, 7 and 8 of the Langer PUD light industrial zoned land. At the time they called it Langer Crossings at Sherwood.

Meerta Meyer, 24002 SW Middleton came forward and said residents of Sherwood by vote employ the Council and the Council has clear goals to preserve the livability and marketability of our town. She stated there is disconnect between Council opinion and Council position and there seems to be little delineation between the two. She referred to comments made by Councilors, including Councilor Grant that suggested Council should not consider concerns of residents that are over their head or that they don't know enough about. She stated by our vote we trust Council to become informed and educated and to use and follow due diligence to get the information needed to best represent residents of Sherwood. She said it concerns her that the residents feel let down by those in decision making positions and with the process upon which decision have been made. She said residents have pleaded that their requests be considered and in light of the requests we again come to you and ask that the proposed ordinances are considered and ordained. She said there are perceptions of personal gain and conflicts of interest and as a Council, members are called to hold one another accountable and she is hopeful that happens and she said the people behind her and others feel really duped. She stated that she submitted an application to serve on the Planning Commission and would like to contribute and if she is appointed there will be something she does that will be questioned and she understands that when one's integrity is questioned it feels bad but people question integrity when it appears there has been a problem. She said she hopes the Council considers the ordinance and all of future decisions clearly and carefully.

Brian Larson, 22813 SW Saunders Drive, approached the Council and asked how they felt about the overwhelming opinion of this development. He said most of us agree that there are aspects that were done in a less than transparent manner, perhaps even underhanded, and he agrees there is a question about a conflict of interest or self-serving interest, if not illegal. He referred to the comment that Council faced empty rooms prior to 6 weeks ago and said we didn't know and we all have lives to lead and you are here by vote and we expect you are upholding our values and we expect things to be operating as they should even if we are not here, because that is what you have graciously volunteered to do. He said the minimum was done and there is still a question if those that live within a certain boundary were even notified and that may be a loophole that we can exploit. He said there wasn't anything proactive coming from the Council or the Planning Commission, prior to the announcement 6 weeks ago, about who was coming in here. He asked Council what they have done to act on behalf of Sherwood, other than last week which was a blatant stall which forced many to leave before their comments were heard and that is the perception problem you have now, both Council and Planning Commission. He referred to Council providing hurdles and barriers instead of support, ideas and action and he said he hopes he hears this in the final hour. He referred to the ordinances and asked why was there not an amended approval of the original development plan where they spelled it out clearly that it was a 145,000 square foot anchor tenant, and most of us don't know what that means but the Council and Planning Commission did, and he asked why didn't Council amend that and give them a smaller square foot in the anchor store. He said if this would have been amended we would be having a different discussion and could have maybe got a tenant that is a compliment to Sherwood like Whole Foods or Trader Joes. He asked what other legal recourse residents have at this point and he said that is what everyone wants to hear. He stated the

rooms used to be empty but not now everyone has been awakened and feels duped and has lost trust in the Council and Planning Commission and he hopes Council starts earning that back.

Cheri Hamburg, 22639 SW Norton Avenue, approached the Council and said she has been in Sherwood 20 years and raised 3 children here and has not attended a meeting but reads the fliers that come in the mail. She was keeping up to date and was waiting to see the decision about what was going to be coming in where Walmart is going and she didn't hear anything else until she saw the news. She said she would have been here if she knew that was even a consideration. She noted Sherwood has been like our old town with an old town feel and that is what you hear from people and she asked where Walmart fits in. She said this year her youngest child turned 18 and she convinced her to vote because her vote counted, and since this happened she said her vote didn't count.

Brian Harry, 15354 SW Clifford Court, came forward and said he supports the ordinances that are being considered. He said he lives just behind the fire station and is concerned about traffic and is concerned about the camping overnight. He said Sherwood is a special town and we have something very good here and he said we have a community where we know each other and that community is threatened and the people here are angry because that is threatened. He stated he worked at the ice rink for 6 years and people feel safe dropping their kids off there on Friday nights. He commented he does not like the direction this is going. He said he has attended the last few meetings and he is disturbed by the Town Center Project and by Metro saying that we are expecting 20,000-30,000 new people in 10 years in the SW corridor and it seems like the planning that is going on is for those 20,000-30,000 that are coming and not the people that live here already. He said the town has an entrepreneurial spirit and we need to encourage that and encourage the people that live here to follow their dreams and build a community for their children. He referred to the actions of the Council and Planning Commission over the past 10 years and it seems that the interest of the people who own very valuable property in Sherwood and the interest of the businesses who want to come to Sherwood are put before others and that is backwards. He suggested instead of spending money on more traffic studies and instead of spending money on trying to get other peoples opinion we could spend money reaching out to the citizens. He asked Council to push the ordinances because that is the first step in trying to right some of the wrongs and steer us back on the right path. He referred to Councilor Grant commenting that he was jealous of what they have in Wilsonville and said Wilsonville should be jealous of what we have.

Mayor Middleton brought the discussion back to Council to discuss what they have been working on in order to come to an agreement. He said after Council is done and they adjourn he is willing to stay after and talk with anyone. He stated he will let the Council speak now and then whatever time is left until 9 pm will be used for citizen comment. He noted Council will discuss and present some work and answer questions. He asked Councilor Butterfield for comments.

Councilor Butterfield said over the last few weeks Council has been listening, reading and analyzing the situation and stated it has affected everyone. He said Council is here to serve and that is why we volunteer to run for Council and he asked that the citizens acknowledge the fact that Council is listening and has proposals tonight and he asked citizens to think about what is good for the whole community, which is what he does when he makes a decision or comes to a conclusion.

Councilor Grant said he agrees with Councilor Butterfield and said he has tried hard to express his position as time has gone by and he doesn't appreciate being paraphrased in ways that change what he meant to say. He said if anyone would like to hear how he feels they can just ask him. He said this

is not easy and there are a lot of people with a lot of opinions. He stated he has read a lot and will read the forms that have been brought to City Hall and he said he doesn't like people being angry with each other and said it doesn't look good and we all need to understand the issues that are being brought forward and said he is open to whatever and would like to talk about the ordinances.

Mayor Middleton said he will have Council President Henderson bring up the issues that have been discussed amongst Council.

Council President Henderson provided background on how she came up with her suggestion and said that last spring there was a City Charter vote and the City Charter is essentially their constitution. She stated that it is bad to change the constitution frequently and it seems reactionary and irrational if you do it regularly and it should be done with great thought and input. She said the changes that were considered did not involve a lot of input from other municipalities, where normally you form a Charter Review Committee where citizens review the Charter and make recommendations. She said Council has been receiving citizen's comments and working with staff and said she suggested to the Council to form a citizen review committee that would represent citizens that live here and citizens that own businesses here and perhaps have an impartial chair that would work as a moderator. She said the City has had many ad-hoc, meaning short term committees, and she provided the example of the Community Center Advisory Committee. She commented that she spoke with staff to be sure this was allowed by the Charter and she said that is her recommendation to Council. She stated she does not have all of the information figured out but said we are on a tight time schedule because the end result of forming a citizens review committee would be putting ordinances on the ballot in November. She said this would let the entire community vote and they would get to participate by attending the meetings where citizen members will be discussing ordinances and coming up with details and thresholds and determining due process, for example if a business violated the ordinance what would be the due process. She said they haven't figured out how they would choose the members of the committee, but said there will be an application form and it would be advantageous to have members with different concerns on the committee and members with businesses in town that would be most impacted by such ordinances. She said there are deadlines that they have no control over, by the County, and it is September 5, so we need to form a committee and meet maybe twice a week and draft ordinances and ballot titles that would come before the Council and have the information reviewed by the City Attorney's office to make sure that they are legal and enforceable so we can avoid court challenges. She said she is concerned that we don't have extra general fund money which is what we have to utilize to implement this process and she referred to the efforts in Portland where they are forming a partnership, but that is not free. She said we might have a similar process because we don't have staff members to determine compliance of certain ordinances. She stated if the Council agrees with her suggestions, and she is welcomed to any other input, and said they would then recommend to staff to start drafting legislation that Council could adopt next Tuesday as a walk-on resolution to form a committee, determine the purpose of the committee, determine the makeup of the members of the committee, and the timeline. She said staff will draft the application form and make it available on the City website and City Hall.

Councilor Butterfield said Council did go through the ordinances that were suggested and that is where this information is coming from and said this is a way to help resolve it.

Councilor Clark thanked Council President Henderson for thinking of this idea and said she believes strongly in the democracy of this nation, by the people, of the people, for the people and said she did

not support the last Charter change because they did not have a citizen committee. She said we have enough input and said that the citizens feel like they have not been involved in the process and said this is a great way for people that have ideas to get involved. She stated the process of how the appointments are made can be worked out pretty smoothly and this is a way for the entire community to make a stand on what our community wants. She stated this will be the will of the citizens.

Council President Henderson clarified that we are talking about November of this year.

Mayor Middleton said these ordinances would go into effect before any store is opened and it is not anticipated to open until late 2015, so this would all be set and required before the business could open. He referred to the timeline and stated the importance of setting up a committee, drafting the ordinances and putting them on the November 2013 ballot.

Council President Henderson said she proposed this idea to Council and staff because when she read the petitions and the top of the petition said that all employees in Sherwood who live or work here should have access to health care and sick leave and said when we think about drafting these ordinances we need to know who they would eventually impact. She said she is not sure who we will be helping or hurting when drafting an ordinance of that nature so by having citizens and businesses be part of the committee we can get a better understanding of the effects on the businesses. She referred to Sherwood having a number of small businesses and start ups and that we are a community of entrepreneurs and she suggested that some entrepreneurial businesses don't always provide sick leave or health care for a number of years because they simply can't afford it.

Mayor Middleton announced this is the plan Council is proposing and will be carrying out and suggested that residents that are interested in serving on the committee should start looking on the website for the application. He said the groups in town should just have a representative from the group apply.

Council President Henderson stated we do have to adopt the resolution first and asked if that is the direction Council wants to go. Council agreed and she asked the staff if they need any clarification. No clarification was needed.

Mayor Middleton thanked everyone for attending and said that they did make a difference. He also thanked the Council for working through this process. He said he is happy with the way this turned out and said it should be beneficial for everyone.

Mayor Middleton called for a 5 minute recess and said that they would continue to hear citizen comments after the recess.

Mayor Middleton called the meeting back to order at 8:00 pm.

Kimberly Arbigast, did not come forward.

Patti Spreen, 20488 SW Lavender Place, came forward and continued to read the timeline (see record). She read: *Langer Crossing will be a new 22-acre power center in addition to new office and flex space on the remaining 27 acres. Langer Crossing preliminary design will include approximately 225,000 square feet of retail plus 295,000 of office and flex development. From their leasing information site plan the largest building was going to be 90,000 square feet and this is what was*

specified at the time during the hearings for Minor Modifications. It was going to be a retail/flex space split 50/50. Also of note, in the Sherwood Town Center design at the time of the Minor Modification hearings Century Drive was not extended through the Langer PUD. For reference, the 1995 PUD ordinance zoning information is attached which shows the differences between major and minor modifications. In August 2008, City Manager Ross Schultz resigned. Christina Shearer City of Sherwood's CFO and CPA resigned. The chief financial position remained vacant from November 2008 to February 2010. Ad reads a qualification is that the applicant MUST be a Certified Public Accountant (CPA). CPAs are accountable for all financial documents. Who is hired: Craig Gibbons, who is not a CPA and is a History Major. Craig Gibbons was hired to fill the position and manage the city's \$40,000,000 annual budget. On July 26, 2010 a special City Council session was held making changes to approve new development agreements. August 2010 City approves funding for Langer Farms Parkway project. In 2010 Matt Langer is on unemployment. Unemployment income listed as source of revenue. November 2010 Matt Langer, 38, ran unopposed for the city council Position 1. Elected for first year on council (expires January 2015). "Langer, who works in property management, said he hopes the council can encourage business development in Sherwood during his time in office." October 2010 Langer Parkway built with \$4,000,000 from county MSTIP funds. January 2011 Matt Langer appointed the liaison to Sherwood Urban Renewal Planning Advisory Committee (SURPAC). The proposed Walmart site was zoned 'urban renewal,' normally a classification for blighted urban areas and not farmland. For info on the SURPAC members please visit: <http://www.sherwoodoregon.gov/surpac-members>. August 2011 Senior Planner Brad Kilby is hired. August 23, 2011 City Manager Jim Patterson resigns to work in Corvallis. October 4, 2011 Dolly Langer passed away. She was adamant she did not want the PUD property to be sold, only leased. After the earlier Langer PUD modification hearing, the family and Gramor brought in leasing agents not Sales agents for the property.

Wendy Malcomson, 22424 SW Washington Street, came forward and said Amanda Stanaway could not be here but wanted everyone to know that there is a fundraiser on Friday for the appeal fees that have been filed for the residents that did not receive notification that were within the 1000 square foot boundary. She said it will be Amanda singing and Anton. She referred to the cover of the Times that reported that Tualatin has a poverty problem and she is concerned if Walmart moves in which road are they going to take to get here. She referred to Walmart sponsoring several things such as the Family Fun Area at Cruis'in, the flyers they provided to City Hall and the mailer and is sickened by the way they propose how helpful they will be to the community. She referred to the crimes in the parking lot and said one of the murders in their parking lot resulted in a policy change because their security guards were told to protect their assets at all costs. She said in one case the security guard followed a shoplifter to the parking lot and shot and killed the shoplifter without noticing two small children sitting in the back seat. She said they have since changed their security policy but if most people knew this, those in favor of Walmart would possibly change their mind. She commented on hearing that the homeless are referred to Walmart and said it is distressing and she referred to Tigard's homeless problem. She worked for a nonprofit downtown that served the homeless and she said many suffer from mental illness and substance abuse and to have them in our community where our kids are is very disturbing. She said she is trying to raise her daughter to know that one person can make a difference, and she has not been given any agenda, but she is trying to teach her to stand up for what you believe in even if you are the only one standing. She said her daughter polled her kindergarten class and found 1 of 25 students want Walmart. She said she hopes her daughter can see that they can make a difference.

Morteza Aleali, did not come forward.

Scott Haynes, 15255 SW Thrasher Road, approached the Council and said the community is built and maintained by many entities from our schools, neighborhoods, city government, churches, protective services and businesses and all of these are connected through concerned and involved citizens. He said that we have had businesses in the past opened for 24 hours and it has not hurt us and asked how it would now. He referred to the surrounding towns in Washington County that have businesses open 24 hours and citizens still succeed in building strong families and communities. He asked about crimes and small businesses being hurt in West Linn, Hood River, Beaverton or Lake Oswego since businesses started to be open 24 hours. He commented Sherwood is a small town but we are not isolated, we are part of a much larger region that will have 18 Walmart stores in a short while. He stated that we have many citizens from Sherwood that travel to Winco and multiple Costco locations, and said we have a population that would benefit from this style of store in our community. He stated there are people below the poverty level in Sherwood. He said we have a reputation for being unfriendly to business and we can't make the same mistakes that Washington DC and Portland are doing. He referred to enacting laws at single retailers now, and asked why didn't we go after Home Depot, Target, etc. because they didn't fit the same model in the community that some believe is best for us. He stated if we enact laws that actively seek to raise businesses cost of operations we need to consider what that will do to the future of Sherwood. He asked where the protestors were when the other big box retailers came to town and asked where are the additional tax dollars going to come from that we are going to need to function going forward. He asked why a business that follows the laws, receives no special treatment, brings needed tax dollars to our town is targeted and vilified. He said Target, Safeway, Kohl's, Home Depot and Albertsons all have their own hiring, firing and promotion policies and some even average lower wages than Walmart. He stated a store will not break Sherwood and a single business will not take down our community. He noted what will be the ridiculous arguments and ignoring the facts in dealing with comparisons with wage and working conditions and even targeting neighbors with childish acts of vandalism. He referred to the garbage that was dumped on his property but said he still has faith in our community. He said the community needs leadership, our town is broken and let's be neighborly.

Jim Haynes, 22300 SW Schmeltzer, approached the Council and said Walmart coming to Sherwood has generated outcry that is not unique nationally, either is the misinformation about Walmart's impact on communities. He said if the goal is to legislate as a way to stop Walmart, sadly that is misdirected and the impacts will be far beyond any possible impact by Walmart. He stated the proposals may sound good to some people and reasonable to a lot of people, but would be egregious to businesses that are currently in place or might be interested in Sherwood in the future. He said unfortunately our image of being unfriendly to businesses will precede any attempts we have to grow our tax base and job opportunities in Sherwood. He stated it is troubling that this has become so personal by so many people and it is remarkable that one of the reasons to keep Walmart out is to save small businesses, while there are a lot of statistics and studies to the contrary that Walmart has been neutral if not positive for small businesses in various communities. He said in the effort to save small businesses there has been a request for a boycott of small businesses connected to the Sherwood Chamber of Commerce. He stated if you want to stop Walmart in order to save small businesses it is counterintuitive to boycott small businesses such as Symposium Coffee, Sherwood YMCA, Altech Financial, Portland Badge and Sign Company, Trinity Wealth Strategies and his own small company Western Heritage Public Relations. He stated fortunately boycotts seldom work but attempts to stop Walmart can have a very negative effect on other businesses here and those that might be interested in coming here.

June Reynolds, 22438 Hall Street, came forward to answer some of the questions that have been raised and she asked how many big box stores Sherwood can support. She stated we are having a hard time revitalizing the old town area and we have put a lot of money into it and we have nice parks for people to enjoy, but how is this all going to work out. She spoke about Target and referred to the question about why didn't people protest Target and why are they waking up now. She commented about Target and all the things that are going on in 6 corners and said she accepts them and she has been in Sherwood since 1962. She said we did not see a spring of people rise to protest this, but now people are realizing the reason why they first came to Sherwood was because of the small town and the small town feel of this place. She referred to a statement about putting 30,000-50,000 more people in this town in 5 years. She said the young people that she used to teach are now raising families and are valuing this ambience that they now have. She continued to read from the timeline (see record). *October 4, 2011 City Council votes on Ordinance 2011-011 to amend the development code for land divisions, administrative processes, public infrastructure, and site plan modifications. Matt Langer does not recuse himself from the discussion or the vote. New language is inserted into the code regarding minor and major modifications to site plans, changes to the administrative rules for processing subdivision applications to be effective 30 days after vote. December 11, 2011 Langer partition application for partitioning 55 acre parcel, a proposal to partition approximately 55.09 acres into two separate parcels. Decision maker: Planning Director. April 12, 2012 Langer Subdivision 12-02 Proposal to partition approximately 55.09 acres into five separate parcels. Decision maker: Planning Director. May 7, 2012 Sentinel Storage Annex application submitted. This project is phase 8 of the Langer Family Planned Unit Development. The site is located on a 6.93 acre site which is a portion of the site currently in review for subdivision approval. The applicant proposed a self-storage facility with 430 storage units to include open, covered, partially enclosed and fully enclosed units. Decision maker: Planning Commission. May 10, 2012 Councilor Langer voted on Capital Improvement Projects. This included the Century Drive Extension project and she commented that unfortunately there was a problem with wetland and they weren't taken care of because there wasn't any money in the city coffers. She read July 24, 2012 Washington County Board of Commissioners vote to fund Sherwood road project. She ended with a poem: the ship is state, putting the water under the boat could be very difficult even if you have 4 wells, where does the money come from, the League of Oregon Cities, double dipping on Urban Renewal funds for 13 long years, did this float our boat and our inane words keep community alive.*

Mayor Middleton returned back to Council comments.

Councilor Butterfield had no comments.

Council President Henderson asked City Attorney Pam Beery if it was possible to have legislation ready to adopt at the Council meeting on June 18, 2013. Pam Beery said they will have something ready. Councilor Henderson said she realized they were already working on some preliminary drafts but Council needed to provide more detail. Pam Beery said she is clear on that and it will be ready.

Councilor Henderson said that it is difficult to get up here and be judged repeatedly, night after night, and said it is painful and hurtful because this one decision, while it has propelled people to come to the room and be active, there are lots of projects that have gotten done over the years that involved similar citizen participation. She said this one issue does not define my service on the Council. She stated that she has participated as a citizen since 1999 and served on the Parks Board for many years and was part of the amenities that we all enjoy and are treasures in our community, and provided an explanation of the work involved to build Snyder Park. She referred to the significant

investment that has been made in old town and the Cannery Square and while that is a wonderful amenity, there have been challenges with respect to the water that have required many extra hours, especially of Councilor Butterfield. She commented that these contributions should not be so easily dismissed. She said it is painful to sit here and to think that the disservice of this one private property decision is the only contribution that you will consider the Council has ever been a part of. She said her children don't understand why there is not a balance between what Council has done and what they are trying to fix. She commented on the 10 years it took to get bathrooms at Stella Olsen Park, and complimented the staff for helping get this done and coming up with a reasonable and cost effective solution. She stated the great things we have in our community are thanks to our great staff and they have also been treated badly and misjudged as Council has been misjudged. She said the employees are the ones that manage our projects and work hard to keep them under budget and on time, and she referred to the street improvement projects on Railroad and Washington and said that was a product of our staff and shows how hard they work. She said the employees are the tools of our community while the Council is the policy makers, and she commented that the staff is rarely appreciated. She commented that she will not be judged by this one issue, as she has worked in the community since 1999 doing the best to represent the largest majority of people in town on any vote that she has taken. She said she will continue to serve by trying to make decisions based on what benefits the most people in Sherwood given the resources that we have. She commented on her recent trip with Assistant City Manager Tom Pessemier to Washington DC, and said the purpose of the trip was to find sources of funding that may be available for Sherwood for road projects and potentially the YMCA. She stated that the whole time she was working in DC she was getting angry, disrespectful and mean emails and it was hard to focus. She said she is hoping that in forming a citizen review committee it will help educate the public on the process and maybe we can find improvements on how we do things in Sherwood. She hopes that suggestions will be made and brought to staff and people won't feel like this was a process that just happened. She said she appreciates the comments that have been made.

Mayor Middleton asked if Council had any further comments. With no further comments, he returned to citizen comments.

Ruthanne Rusnik, 22214 SW Nottingham Court, came forward and commented that citizens were cut off at 7:30 pm with the comments they came to make and referred to Councilor Henderson speaking of the accomplishments of the Council and said she appreciates their work, but the purpose of this meeting was for citizens to be heard. She asked the Council what they are expecting this committee to review, and said there is a question that has not been answered, and said it seems the Council has the position that Walmart is a done deal and there is nothing that will change that and she sees no point in a review committee that is not going to allow us to have any steps to take. She asked how is the review committee, which is supposed to have its work done before November 2013, going to come up with plans to deal the incredible traffic problems that are going to come to our neighborhoods as a result of Walmart.

Morteza Aleali, 15767 SW Wheatstone Way, came forward and said he was driving down Tualatin Sherwood Road two weeks ago, which he has driven it the last 20 years, and said it will be a nightmare and it is getting worse every day. He said he heard on the radio that Walmart is guilty of illegal waste disposal of hazardous products across California and Missouri and were fined. He said for the last 20 years everything he has heard about Walmart has been negative. He referred to Walmart factories in Pakistan closing. He asked if that is a company we want in our neighborhood, a company that doesn't care about countries, and he feels bad because America is a great country and

he doesn't want Walmart to outsource our jobs and our future. He stated if Walmart wants to have a superstore here they should build a super highway for the clients, and all the products should be made in America.

Lori Stevens, 15630 Farmer Way, approached the Council and spoke about the recording process and being transparent and said that this session originally was not going to be recorded or have minutes taken and they pushed back and said no. She noted the importance of being transparent and said it needs to be recorded somewhere. She discussed how the Council treated each other at the last meeting and said the comments that they exchanged were embarrassing and if she acted that way at work she probably wouldn't have a job. She said she approached a few Council members and emailed them and said she did not appreciate the eye rolling toward the audience or some of the comments they gave. She said one member sent her six pages of his transcribed notes that she then wanted to compare with the minutes. She stated Mr. Gall informed her that they would not be available until July because the minute taker was out at some kind of administrative training and commented that is not very transparent. She said some of the things in the hand written notes were not quite accurate and she wanted to compare them to the record and she said she compared the notes with the video tape but some parts are hard to hear and break up. She echoed what the last person said about the stalling and stated this was to be for the citizens to speak for 3 hours on Walmart comments only and we were guaranteed that you would listen with no questions or comments from the Council. She said Council hijacked the meeting for approximately 24 minutes of our time to give their own comments, and she appreciates all of what the Council has done but said they can hold their own session to toot their own horn, but that is not tonight. She said she realizes that they all have done great things and have lives and said she has put in 17.5 hours since May 7 sitting here and she knows that Council has done as much and actually more because of other meetings. She said we appreciate that and the new committee being set up, but that doesn't address the issue. She said this is the new Sherwood City Council, even though we don't get to vote, but for all intents and purposes this is the new City Council.

Mayor Middleton thanked everyone for being respectful and said we are trying to refine our process and hopefully coming up with solutions and realizes he can't please everyone but the Council is doing their best.

5. ADJOURN:

Mayor Middleton adjourned the work session at 8:45 pm.

Submitted by:

Colleen Resch, Administrative Asst.

Bill Middleton, Mayor